

870310

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF

TUESDAY, MARCH 10, 1987

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Jones at 9:38 a.m. Mayor O'Connor entered at 9:39 a.m. Mayor O'Connor announced that the Redevelopment Agency would not convene this morning. The meeting was recessed by Mayor O'Connor at 12:24 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:00 p.m. A quorum was not present. A quorum was present at 2:03 p.m. with Council Member Ballesteros not present. The meeting was recessed by Mayor O'Connor at 3:17 p.m. The meeting was reconvened by Mayor O'Connor at 3:30 p.m. with Council Member Ballesteros not present. The meeting was recessed by Mayor O'Connor at 5:18 p.m. to meet as the Redevelopment Agency. The meeting was reconvened at 6:01 p.m. by Deputy Mayor Jones with Council Members Cleator, McCarty, Ballesteros, and Mayor O'Connor not present. Deputy Mayor Jones adjourned the meeting at 6:12 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-excused by R-267837  
((City business in Sacramento, CA)  
Clerk-Abdelnour (mp;eb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-not present

- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-not present

ITEM-102: (R-87-1699) ADOPTED AS RESOLUTION R-267847

(Trailed from March 9, 1987, due to lack of time.)

Authorizing the Mayor and City Clerk to execute the Certificate of Ownership of Parcel Map TM-86-0158, consenting to the preparation and recordation of said map.

(Tierrasanta Community Area. District-7.)

CITY MANAGER REPORT: The parcel map being filed includes City-owned property that was originally acquired for open space purposes. Parcels 1, 6, 7, 11, 14 and 16 (the City-owned property) are included in this map because a map was not filed when the City originally acquired the property. The land is being included in the map now because it is adjacent to land being parceled. The map being filed is a financial map only; the subdivider has entered into an agreement whereby he agrees that no building permits will be issued until another map is processed and recorded over the property. This agreement pertains to the privately-owned land only; it does not affect the City owned parcels.

FILE LOCATION: SUBD Parcel Map TM-86-0158

COUNCIL ACTION: (Tape location: J-357-389.)

Motion by Struiksma to suspend the rules to extend the Council Meeting to 6:12 p.m. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-not present, Ballesteros, not present. Mayor O'Connor-not present.

MOTION BY STRUIKSMA TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-not present, Ballesteros-not present, Mayor O'Connor-not present.

ITEM-113: (R-87-1635) CONTINUED TO MARCH 16, 1987

(Trailed from March 9, 1987, due to lack of time.)

Authorizing the execution of a first amendment to agreement with Atkinson, Johnson and Spurrier, Inc. for the improvement of Sorrento Valley Road from Sorrento Valley Boulevard to 3,300 feet northerly; authorizing the expenditure of an amount not to exceed \$20,000 from Capital

Outlay Fund 30245, CIP-52-099.4, "Sorrento Valley Road - Sorrento Valley Boulevard to 3,300 feet northerly", for the purpose of providing funds for the above project.

(North University Community Area. District-1.)

CITY MANAGER REPORT: On September 12, 1983, by Resolution R-259202, the Council authorized an agreement with Atkinson, Johnson and Spurrier, Inc. to provide Phase II engineering services for the improvement of Sorrento Valley Road from Sorrento Valley Boulevard to 3,300 feet northerly. This project has qualified for approximately 86 percent Federal participation under the Federal Aid Urban (FAU) Program. The preliminary alignment and grade for this road was approved four years ago as part of the environmental documents, and the plans were completed in accordance with that proposal. Portions of the project lie within the 100-year floodplain and will be subject to periodic flooding.

It has now been determined after further analysis of the floodplain that a significantly greater flood protection can be achieved through minor redesign. The accompanying first amendment authorizes the consultant to modify the plans to reflect currently higher design standards and further reduce flooding potential for the roadway. The California Coastal Commission and California Fish and Game agencies have recently mandated mitigating measures that must be included in the project. This amendment provides additional compensation to the consultant to include riparian habitat enhancement work in the contract documents. Also, right-of-way negotiations require that additional drainage facilities be provided by the project which are beyond the consultant's scope of work.

Aud. Cert. 8700659.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: J-389-400.)

MOTION BY WOLFSHEIMER TO CONTINUE TO MARCH 16, 1987 AT HER REQUEST TO MEET WITH THE ENGINEERING AND DEVELOPMENT DEPARTMENT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-not present, Ballesteros-not present, Mayor O'Connor-not present.

ITEM-150: (R-87-1536) CITY MANAGER WITHDREW HIS REQUEST TO PRESENT A REPORT. ADOPTED AS RESOLUTION R-267845 ON MARCH 9, 1987

(Trailed from March 9, 1987, for a staff report.)

Approving the plans and specifications for the traffic signal at Eads Avenue and Pearl Street, but without the left turn lanes and without a parking prohibition on Pearl Street.

(See City Manager Report CMR-86-575. La Jolla Community Area. District-1.)

COMMITTEE ACTION: Initiated by TLU on 12/8/86. Recommendation to approve the Manager's alternative recommendation to install a traffic signal at the intersection of Eads Avenue and Pearl Street without left turn lanes and without a parking prohibition. Districts 1,6, and 7 voted yea. District 4 not present. District 8 vacant.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J470-473.)

City Manager Lockwood withdrew his request to present a staff report.

ITEM-202: (O-87-84) INTRODUCED ALTERNATE ORDINANCE, TO BE ADOPTED MARCH 24, 1987

(Trailed from Monday, March 9, 1987.)

(Continued from the meeting of November 18, 1986, Item 333, and January 13, 1987, Item 331; last continued at the request of the Planning Department and Dorothy Leonard, to allow the City School Task Force to meet and discuss the MOU.)

Matter of a proposal to amend Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code by: Introducing the concept of an Institutional Overlay Zone to be applied to property designated for institutional purposes on adopted general, community or specific plans. Today's action will consider the enabling legislation only. Future noticed public hearings will apply the overlay zone to specific lots or parcels within the City of San Diego. Introduction of an Ordinance to amend the San Diego Municipal Code relating to the Institutional Overlay Zone.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A023-B320.)

Hearing began at 9:38 a.m. and halted at 10:44 a.m.

Council Member McColl entered at 9:42 a.m.

Testimony in favor by Dr. Michael Oxman, Lynn Benn, and Ann Jackson.

Testimony in opposition by John Thelan, Mark Nelson, W. W. Finley, and Lance Burris.

Motion by McCarty to amend Alternate Ordinance O-87-84b to add

to paragraph B on page 2, "or a tax-exempt agency or organization." Second by Gotch. Failed by the following vote: Yeas-1,6,7,M. Nays-2,3,4,5. Not Present-8.

Motion by Jones to request the City Attorney and Planning Department to: (1) explore whether the application to private properties owned by organizations who receive direct assistance from taxpayers, with emphasis on those organizations subsidized by City of San Diego, should be involved in any way in the IOZ application; (2) come back with a definition of the application process; and (3) solicit input from those organizations affected. Bring this information back to Council in eight weeks. Second by McColl. Passed by the following vote: Yeas-1,2,3,4,5,6,7,M-yea. Nays-None. Not Present-8.

MOTION BY McCARTY TO INTRODUCE ALTERNATE ORDINANCE O-87-84b WHICH INCLUDES GOVERNMENT PROPERTIES. Second by Gotch. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-203: (R-87-1323) CONTINUED TO APRIL 6, 1987, 2:00 P.M.

(Trailed from Monday, March 9, 1987.)

(Continued from the meeting of January 13, 1987, Item 330, at the request of the Planning Department and Dorothy Leonard, to allow the City School Task Force to meet and discuss the MOU.)

Adoption of a Resolution approving a Memorandum of Understanding between the City of San Diego and the San Diego Unified School District regarding procedures for surplus school sites pursuant to Education Code Section 39390 et seq., and a planning process for surplus school sites.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: B431-D585.)

Hearing began at 10:53 a.m. and halted at 12:23 p.m.

Testimony in favor by Kay Davis for Susan Davis, Kay Davis, Christina Dyer, and Eve Small.

Testimony in opposition by Norman Blumenthal, Ann Jackson, Lynn Benn, Claudia Engstrom, Chuck Kintner, and Zac Kintner.

Motion by McCarty to exclude the six sites from the institutional overlay zone and adopt the MOU. Second by Struiksmay. Motion withdrawn.

Motion by McColl to adopt the MOU and if, for some reason, the MOU was ever discontinued by mutual consent or any other way, then the IOZ would fall over the school sites. Second by Gotch.

No vote taken.

MOTION BY JONES TO CONTINUE FOR FOUR WEEKS TO APRIL 6, 1987, AT 2:00 P.M. STAFF IS TO RENOTICE AND REDISTRIBUTE THE MOU.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,  
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present,  
Mayor O'Connor-yea.

ITEM-205: (R-87-1744) CONTINUED TO MARCH 16, 1987

(Trailed from March 9, 1987.)

Nominating the following persons to serve on the San Diego  
Data Processing Corporation Board of Directors:

(See memorandum from Mayor O'Connor dated 2/24/87 with  
resumes attached.)

Name	Category	Term
	Represented	Expires
C. Marty Roos (Re-election)	Finance	7/1/89
Arvella Murray (Re-election)	General Business	7/1/89
William D. D'Alessio (Re-election)	Data Processing	7/1/89
Roger Talamantez (To replace Chris Harlow, who has resigned)	Data Processing	7/1/88

Re-electing C. Marty Roos, Arvella Murray, and William D.  
D'Alessio to the Board of Directors of the San Diego Data  
Processing Corporation after full and complete public  
discussion and deliberation, and electing Roger Talamantez  
to serve out the term of Chris Harlow.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: J348-355.)

MOTION BY WOLFSHEIMER TO CONTINUE TO MARCH 16, 1987 AT MAYOR  
O'CONNOR'S REQUEST FOR HER TO BE PRESENT. Second by McColl.

Passed by the following vote: Wolfsheimer-yea, Cleator-not  
present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,  
McCarty-not present, Ballesteros-not present, Mayor O'Connor-not  
present.

ITEM-206: (R-87-1632) ADOPTED AS RESOLUTION R-267848

Authorizing the execution of an agreement with ARA Leisure  
Services, Inc. for the sale of novelties at San Diego Jack  
Murphy Stadium for Super Bowl XXII on January 31, 1988;

authorizing the City Auditor and Comptroller to establish a special fund for Super Bowl XXII for the deposit of funds from this agreement and to offset the expense of hosting the Super Bowl XXII.

(See City Manager Report CMR-87-100. Mission Valley Community Area. District-5.)

NOTE: See Item 207 for a companion item.

FILE LOCATION: MEET CONTFY87-1

COUNCIL ACTION: (Tape location: J400-403.)

MOTION BY GOTCH TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-not present, Ballesteros-not present, Mayor O'Connor-not present.

ITEM-330: CONTINUED TO MAY 12, 1987, 10:00 A.M.

(Continued from the meeting of January 27, 1987, Item 601 a-b, at Council Member Wolfsheimer's request, for Planning Department review and response to questions raised by Councilmembers.)

Matters of:

1. An amendment to the 1983 University Community Plan.  
The proposed amendment to the 1983 University Community Plan is a comprehensive revision and update which would establish guidelines for land use locations, development intensity and development regulations for the community planning area;
2. Certification of Environmental Impact Report  
EIR-86-0728 pertaining to the proposed University Community Plan.

The University Community Plan area encompasses approximately 8,500 acres and is bounded by Los Penasquitos Lagoon and the toe of the east-facing slopes of Sorrento Valley on the north, I-805 and the Atchison, Topeka and Santa Fe Railroad on the east, San Clemente Regional Park and State Route 52 on the south, and I-5, Gilman Drive, North Torrey Pines Road and the Pacific Ocean on the west. (District-1.)

Subitem-A: (R-87-1384)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0728 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the

Council and adoption of appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-86-0728.

Subitem-B: (R-87-1385)

Adoption of a Resolution approving the amendment to the University Community Plan.

FILE LOCATION: LAND - University Community Plan

COUNCIL ACTION: (Tape location: B320-325.)

MOTION BY WOLFSHEIMER TO CONTINUE TO MAY 12, 1987, 10:00 A.M., AS REQUESTED BY THE PLANNING DEPARTMENT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-331: CONTINUED TO MARCH 31, 1987, 10:00 A.M.

(Continued from the meeting of February 24, 1987, Item 333, at the developer's request, to further confer with the area's Planning Group.)

Matters set forth below which affect the following real property:

Lots 32-89 of Fortune Homes, Unit 2, Map-9615; Lots 90-150, Fortune Homes, Unit 3, Map-9779; and Lots 153-194, Fortune Homes, Unit 4, Map-9786 (approximately 30 acres), located west of 45th Street, south of Imperial Avenue, north of Oceanview Boulevard and east of Horizon Street, in Zone R1-5000 in the Southeast San Diego Community Plan area.

1) Rezoning the above described real property from Zone R1-5000 to Zone R-2000;

2) Appeals of Mark II Properties, by Susan K. Lay, from the decision of the Planning Commission in denying:

a) Planned Residential Development Permit PRD-84-0763, proposing construction of 599 multi-family attached dwelling units on the above described real property;

b) Tentative Map TM-84-0763 (North Creek Homes), proposing a 6-lot subdivision on the above described real property; and

3) Amendment to the Southeast San Diego Community Plan, redesignating the above described real property from "Cemetery" use to "Residential, 15-45 dwelling units per acre."

(Case, PRD & TM 84-0763. District-4.)

Subitem-A: (R-87-1520)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0763 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-87-146)

Introduction of an Ordinance for R-2000 Zoning.

Subitem-C: (R-87- )

Adoption of a Resolution granting or denying the appeal and the permit, with appropriate findings to support Council action.

Subitem-D: (R-87- )

Adoption of a Resolution granting or denying the appeal and the map, with appropriate findings to support Council action.

Subitem-E: (R-87-1396)

Adoption of a Resolution granting or denying the amendment to the Southeast San Diego Community Plan.

Subitem-F: (R-87- )

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-84-0763.

FILE LOCATION:

Subitem-A,E,F: LAND - Southeast San Diego  
Community Plan;

Subitem-B: ZONE ORD. NO.;

Subitem-C: PERM PRD-84-0763;

Subitem-D: SUBD

- North Creek Homes

COUNCIL ACTION: (Tape location: B326-422.)

Motion by Struiksma to continue to May 12, 1987. No second.

Motion by Jones to continue for four weeks at 2:00 p.m. Second

by Gotch. No vote taken.

MOTION BY JONES TO CONTINUE FOR THREE WEEKS TO MARCH 31, 1987, 10:00 A.M. AT PAUL ROBINSON'S REQUEST. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-332:

(Continued from the meeting of January 13, 1987, Item 338, at Council Member Wolfsheimer's request, to have a District 1 workshop and to meet with Dr. Freilich. Due to a request from the Planning Department for expanded hearing time, this item was rescheduled from March 10, 1987 at 10:00 a.m. to March 10, 1987 at 2:00 p.m. Continued indefinitely from the meeting of August 4, 1986, Item 204, at the request of the Planning Department, to be renoticed; Continued from the meeting of July 14, 1986, Item 215, at Lynn Benn's request; trailed from the adjourned meeting of July 8, 1986, Item 333; and continued from the meeting of June 10, 1986, Item 332, at Council Member McCarty's request.)

Matters relating to the City of San Diego's Local Coastal Program:

- 1) Proposed zoning ordinances and ordinance amendments to Chapter X of the San Diego Municipal Code (Planning and Zoning Regulations) to implement The City of San Diego's Local Coastal Program. Ordinances contained in the LCP Implementation Program include:

- Floodway Zone (FW)
- Floodplain Fringe Zone (FPF)
- Off-street Parking (Div. 8)
- Subdivision Regulations
- Land Development Ordinance
- Mission Beach Planned District
- La Jolla Shores Planned District
- Coastal Development Permits Ord.
- Conditional Use Permits (CUP)
- Multiple Family Residential Zones
- Commercial Office Zone (CO)
- Neighborhood Commercial Zone (CN)
- Commercial Visitor Zone (CV)
- Community Commercial Zone (CC)
- C-1 Zone (C-1)
- Hillside Review Overlay Zone (HR)
- Sensitive Coastal Resource Zone (SCR)

City-Wide Landscape Ord. (Div. 7)

A-1 Zone (A-1)

- 2) Proposed amendments to the Land Use Plans for the North City and Centre City/Pacific Highway Corridor segments of the City's Local Coastal Program.
- 3) A proposal for the categorical exclusion of specifically defined geographic areas that are found to have no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to and along the coast, as provided in Section 30610(e) of the California Coastal Act.
- 4) Transmittal of The City of San Diego LCP Implementation Program to the California Coastal Commission for review and certification.

As a coordinated program, the proposed ordinances and amendments address all major issues set forth in the certified LCP Land Use Plan segments including, but not limited to: The protection of public access to and along the shoreline; the preservation of coastal bluffs; the establishment of coastal bluff top setbacks; standards for erosion control structures; the preservation of wetlands; the establishment of wetland buffers; restrictions on filling and development in the floodway and floodplain fringe areas; development restrictions in areas of 25 percent or greater slope; erosion and runoff controls for lagoon drainage areas; landscaping and urban design requirements; parking and curb cut regulations (primarily in beach impact areas); and procedures for processing City issued Coastal Development Permits.

Concept maps of the rezonings proposed to be initiated are available at The City of San Diego Planning Department. Rezoning hearings will be scheduled at a later date, after the proposed ordinances have been certified by the California Coastal Commission.

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Subitem-A: (R-86-2342 Rev.1) ADOPTED AS AMENDED AS RESOLUTION  
R-267849

Adoption of a Resolution approving the LCP Implementing Ordinances, as amended, and approving the resubmittal of the LCP ordinance proposal and conceptual rezoning maps to the California Coastal Commission for their certification.

Subitem-B: (R-86-2343) ADOPTED AS RESOLUTION R-267850

Adoption of a Resolution amending the North City Segment LCP Land Use Plan and approving the resubmittal of the amended Land Use Plan to the California Coastal Commission for their certification.

Subitem-C: (R-86-2344) ADOPTED AS RESOLUTION R-267851

Adoption of a Resolution amending the Centre City/Pacific Highway Corridor Segment LCP Land Use Plan and approving the resubmittal of the amended Land Use Plan to the California Coastal Commission for their certification.

Subitem-D: (R-86-2345) REFERRED TO PLANNING DEPARTMENT

Adoption of a Resolution approving the submittal of a request to the California Coastal Commission for a categorical exclusion of specific geographic areas found to have no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to and along the coast.

FILE LOCATION: LAND Local Coastal Program

COUNCIL ACTION: (Tape location: F575-I294.)

Hearing began 3:31 p.m. and halted 5:18 p.m.

Testimony in favor by Chuck Damn, John Thelan, Jane Fyer, Lynn Benn, Lynne Heidel, Karen Clark and Dennis Wickham.

Testimony in opposition by D. Rhodes, Bruce Henderson, Keith Rhodes, and Nancy Lucast.

Motion by Wolfsheimer to adopt the Local Coastal Program implementing ordinances and specifically move the following:

Re La Jolla:

1. Adopt the Planning Department's proposal which would remove the Mt. Soledad/Muirlands area from the Categorical Exclusion.
2. Direct the Planning Department to create a Geological/Environmental Sensitive Slope Overlay Zone for the Mt. Soledad/Muirlands area. Standards for this overlay zone should include, but should not be limited to, the following:
  - a. Overlay zone to apply to all slopes in excess of 25%.
  - b. Specific definition of minimal alteration of natural land forms.
  - c. Specific definition of undue risks from geological and erosional forces and/or flood and fire hazards.
  - d. Specific setback requirements.
  - e. City will comply with State law on the "identification and appraisal of seismic hazards".. "including mudslides and soil instability."
  - f. Precise objective criteria which Planning Director uses in making a decision to issue or deny any sensitive development permit.
  - g. Require

geological and soils study and set minimum specific criteria to be met. h. Require environmental review. i. Require revegetation of disturbed slopes. j. Require specific drainage standards. k. Require developer provide special bond prior to commencing a project in this special overlay zone.

3. Direct the Planning Department, in conjunction with the City Attorney, to prepare an ordinance which provides that all redevelopment (including remodeling) in the Mt. Soledad and Muirlands area must conform to the same standards as for new development.

Re San Dieguito River Valley:

1. Adopt the California Department of Fish and Game Wetland mapping of the area covered by the Sensitive Coastal Reserve (SCR) zone in the San Dieguito River Valley east of I-5, more specifically regarding the property owned by the San Dieguito Trust (Henderson) and the San Dieguito Investors (Osio).

2. Immediately certify the LCP Implementing Ordinances for any area of the San Dieguito River Valley.

Re Ocean Beach:

1. Adopt an addendum to the LCP Implementing Ordinances which shall state that no rezones shall occur until the Ocean Beach Community Plan has been updated.

2. That certification of these Implementing Ordinances is to apply to the Famosa Slough regardless of pending litigation involving the site.

Re Floodways/Floodplain Fringe:

1. Support the Planning Department's proposal to delete any use, permitted by a CUP, which would require permanent buildings and/or fill within the floodway or the channelization or other substantial alteration of rivers or streams and that Council support the Planning Department's clarification that new roadways and roadway expansions shall be allowed only where indicated on an adopted LCP Land Use Plan.

2. Support the Planning Department's inclusion of a specific reference to Los Penasquitos Lagoon as distinct from the Sorrento Valley floodplain regulations intended for infill development only.

3. Direct the Planning Department to add language to the LCP Implementing Ordinances which states that any uses within the floodway/floodplain fringe will be sited to minimize fill and destruction of habitat values.

Re Los Penasquitos Lagoon watershed:

Support the Planning Department's recommendation that the Los Penasquitos Lagoon Watershed not be included in the categorical exclusion.

Re California State Reserve:

Direct the Planning Department to include language which establishes buffer zones for new developments adjacent to the California State Reserve to assure on-site fire protection and protection of scenic and sensitive-habitat values.

Re All Coastal Areas:

1. Categorical Exclusion: Adopt, in concept, Alternative 4 proposed by the Planning Department. More specifically, this motion supports the Department's recommendation that there would be no distinction made between "coastal resource areas" and less sensitive areas or less sensitive categories of development. (This means there would be no categorical exclusion anywhere.) Further, direct the Planning Department to develop a noticed public hearing procedure and report back to Council.
2. Coastal Bluff Setbacks: Adopt a minimum setback of 40 feet from coastal bluffs, but providing for a 25 foot setback in an area of adequate geologic stability.
3. Trees: Direct the Planning Department to include language in these Implementing Ordinances which would provide for protection for existing trees whereby this provision would specifically address native vegetation and Torrey Pines, but would not preclude inclusion of other historically or visually significant trees.
4. Property Adjacent to Environmentally Sensitive Habitat: Adopt language which would provide that development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall require public notice and provide for appellate review. Second by Gotch. No vote.

MOTION BY WOLFSHEIMER TO AMEND RESOLUTIONS AS FOLLOWS: RE LA JOLLA ADOPT THE PLANNING DEPARTMENT'S PROPOSAL WHICH WOULD REMOVE THE MT. SOLEDAD/MUIRLANDS AREA FROM THE CATEGORICAL EXCLUSION. RE SAN DIEGUITO RIVER VALLEY: 1. ADOPT THE CALIFORNIA DEPARTMENT OF FISH AND GAME WETLAND MAPPING OF THE AREA COVERED BY THE SENSITIVE COASTAL RESOURCE (SCR) ZONE IN THE SAN DIEGUITO RIVER VALLEY EAST OF I-5, MORE SPECIFICALLY REGARDING THE PROPERTY OWNED BY THE SAN DIEGUITO TRUST AND THE SAN DIEGUITO INVESTORS. 2. IMMEDIATELY CERTIFY THE LCP IMPLEMENTING ORDINANCES FOR ANY AREA OF THE SAN DIEGUITO RIVER VALLEY. RE OCEAN BEACH: REDUCE THE FLOOR AREA RATION (FAR)

R1750 ZONE FROM 1.2 TO .7. RE FLOODWAYS/FLOODPLAIN FRINGE: 1. SUPPORT THE PLANNING DEPARTMENT'S PROPOSAL TO DELETE ANY USE, PERMITTED BY A CUP, WHICH WOULD REQUIRE PERMANENT BUILDINGS AND/OR FILL WITHIN THE FLOODWAY OR THE CHANNELIZATION OR OTHER SUBSTANTIAL ALTERATION OF RIVERS OR STREAMS AND THAT COUNCIL SUPPORT THE PLANNING DEPARTMENT'S CLARIFICATION THAT NEW ROADWAYS AND ROADWAY EXPANSIONS SHALL BE ALLOWED ONLY WHERE INDICATED ON AN ADOPTED LCP LAND USE PLAN. 2. SUPPORT THE PLANNING DEPARTMENT'S INCLUSION OF A SPECIFIC REFERENCE TO LOS PENASQUITOS LAGOON AS DISTINCT FROM THE SORRENTO VALLEY FLOODPLAIN REGULATIONS INTENDED FOR INFILL DEVELOPMENT ONLY. 3. DIRECT THE PLANNING DEPARTMENT TO ADD LANGUAGE TO THE LCP IMPLEMENTING ORDINANCES WHICH STATES THAT ANY USES WITHIN THE FLOODWAY/FLOODPLAIN FRINGE WILL BE SITED TO MINIMIZE FILL AND DESTRUCTION OF HABITAT VALUES. RE LOS PENASQUITOS LAGOON WATERSHED: SUPPORT THE PLANNING DEPARTMENT'S RECOMMENDATION THAT THE LOS PENASQUITOS LAGOON WATERSHED NOT BE INCLUDED IN THE CATEGORICAL EXCLUSION. RE CALIFORNIA STATE RESERVE: DIRECT THE PLANNING DEPARTMENT TO INCLUDE LANGUAGE WHICH ESTABLISHES

#### BUFFER

ZONES FOR NEW DEVELOPMENTS ADJACENT TO THE CALIFORNIA STATE RESERVE TO ASSURE ON-SITE FIRE PROTECTION AND PROTECTION OF SCENIC AND SENSITIVE-HABITAT VALUES. RE ALL COASTAL AREAS: 1. COASTAL BLUFF SETBACKS: ADOPT A MINIMUM SETBACK OF 40 FEET FROM COASTAL BLUFFS, BUT PROVIDING FOR A 25-FOOT SETBACK IN AN AREA OF ADEQUATE GEOLOGIC STABILITY. 2. TREES: DIRECT THE PLANNING DEPARTMENT TO INCLUDE LANGUAGE IN THE IMPLEMENTING ORDINANCES WHICH WOULD PROVIDE FOR PROTECTION FOR EXISTING TREES WHEREBY THIS PROVISION WOULD SPECIFICALLY ADDRESS NATIVE VEGETATION AND TORREY PINES, BUT WOULD NOT PRECLUDE INCLUSION OF OTHER HISTORICALLY OR VISUALLY SIGNIFICANT TREES. 3. PROPERTY ADJACENT TO ENVIRONMENTALLY SENSITIVE HABITAT: ADOPT LANGUAGE WHICH WOULD PROVIDE THAT DEVELOPMENT IN AREAS ADJACENT TO ENVIRONMENTALLY SENSITIVE HABITAT AREAS AND PARKS AND

#### RECREATION

AREAS SHALL REQUIRE PUBLIC NOTICE AND PROVIDE FOR APPELLATE REVIEW. REFER PARAGRAPHS 2 AND 3 OF COUNCIL MEMBER WOLFSHEIMER'S MEMO, THE CREATION OF A GEOLOGICAL/ENVIRONMENTAL SENSITIVE SLOPE OVERLAY ZONE FOR THE MT. SOLEDAD/MUIRLANDS AREA, THE REDEVELOPMENT IN THE MT. SOLEDAD AND MUIRLANDS, AND THE CATEGORICAL EXCLUSION ISSUE TO PLANNING DEPARTMENT TO COME BACK TO COUNCIL ON APRIL 7, 1987, 2:00 P.M. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

MOTION BY GOTCH TO ADOPT RESOLUTIONS FOR SUBITEMS A, B, C, AND D, AS AMENDED AND INCLUDE THE REQUEST BY LYNNE HEIDEL FOR REVIEW OF MAPPING IN HER LETTER DATED MARCH 10, 1987, AND THE REQUEST BY CHARLES DAMN IN HIS LETTER DATED MARCH 10, 1987 FOR A DEFINITION OF DEVELOPMENT. PLANNING DEPARTMENT TO IDENTIFY WHICH RESOLUTIONS WOULD BE AMENDED. REFER THE LETTER FROM JOHN THELAN DATED MARCH 10, 1987, TO THE PLANNING DEPARTMENT FOR REVIEW AND REPORT BACK TO COUNCIL ON APRIL 7, 1987. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea. Motion by McColl to direct the Planning Department to prepare a study on the relationship between the Floor Area Ratio (FAR) and FAR multifamily density issue city wide. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-S400: (R-87-1755) ADOPTED AS RESOLUTION R-267853

Proclaiming the week of March 8 through 14, 1987 as Girl Scout Week in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J400-403.)

MOTION BY GOTCH TO ADOPT. Second by Struiksmayea. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-not present, Ballesteros-not present, Mayor O'Connor-not present.

ITEM-S401: (R-87-1763) CONTINUED TO MARCH 16, 1987

Authorizing the City Manager to enter into a Letter Agreement with the Irish Congress of Southern California, pursuant to which the City Manager will reimburse the Irish Congress not to exceed \$3,000 from the Fiscal Year 1987 Unallocated Reserve, which amount represents fees the City will receive from People Feeders above and beyond the fees normally paid on an average Saturday in Balboa Park, in the support of the St. Patrick's Day Parade on March 14, 1987. (See City Manager Report CMR-87-89 and Committee Consultant Analysis PFR-87-7.)

COMMITTEE ACTION: Initiated by PFR on 2/25/87. Recommendation to approve the request by the Irish Congress of Southern California to donate rent generated by the Balboa Park concessionaires to defray the cost of the parade. Districts 3,

5 and 7 voted yea. Districts 2 and 8 voted nay.

Aud. Cert. 8700702.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: J403-409.)

MOTION BY GOTCH TO CONTINUE TO MARCH 16, 1987, AT THE CITY MANAGER'S REQUEST FOR MR. BOTKIN TO BE PRESENT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-not present, Ballesteros-not present, Mayor O'Connor-not present.

ITEM-S402: (R-87-1657) ADOPTED AS RESOLUTION R-267854

(Continued from the meeting of March 2, 1987, Item 201, at the City Manager's request, for time to allow the new owner to take care of the problem.)

Declaring the property located at 3237-43 Commercial Street to be a public nuisance; authorizing the City Manager to administratively abate the nuisance no sooner than seven days from the adoption date of this resolution of the residential premises located at 3237-43 Commercial Street by demolition and removal; authorizing the expenditure of an amount not to exceed \$5,540 from the Building Inspection Enterprise Fund (Fund 41300, Dept. 1300, Org. 3423, Acct. 4222, Job Order 3433) to be expended for such demolition work; declaring that a record of the cost of all such work performed shall be transmitted to the City Council, which shall consider the same to be paid and levied as a special assessment against the property.

(See City Manager Report CMR-87-92. Southeast San Diego Community Area. District-4.)

Aud. Cert. 8700147.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J434-460.)

Hearing began 6:09 p.m. and halted 6:11 p.m.

MOTION BY STRUIKSMA TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-not present, Ballesteros-not present, Mayor O'Connor-not present.

ITEM-S404: (R-87-1769) CONTINUED TO MARCH 16, 1987

Council confirmation of the following appointments by the Mayor to the Board of Appeals and Advisors (Buildings), for two-year terms ending March 1, 1989:

Berenice M. Bernard (To replace Richard Hoagland, who has resigned)

Richard L. Miller (To replace Roxanna R. Springle, who has resigned)

(See memorandum from Mayor O'Connor dated 3/3/87 with resumes attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J348-355.)

MOTION BY WOLFSHEIMER TO CONTINUE TO MARCH 16, 1987, AT MAYOR O'CONNOR'S REQUEST FOR HER TO BE PRESENT. Second by McColl.

Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-not present, Ballesteros-not present, Mayor O'Connor-not present.

ITEM-S405: (R-87-1773 Rev.1) ADOPTED AS RESOLUTION R-267855

19870310

Authorizing the execution of an agreement with building permit applicants in the Pump Station No. 64 service area, to deny final occupancy until improvements to expand Pump Station No. 64 are completed.

(Torrey Pines Community Area. District-1.)

CITY MANAGER REPORT: On January 23, 1987, the California Regional Water Quality Control Board (RWQCB) issued Addendum No. 3 to Cease and Desist Order No. 86-69. This order states in part that prior to the completion of the new pumps that "in the event that measured average dry weather flows (ADWF) as determined on a seven day running average combined with projected increases in ADWF to Pump Station No. 64 exceed 205 MGD, then the addition of new discharges to Pump Station No. 64 shall be prohibited." In August, 1986, the ADWF was measured to be 18.8 MGD. As of February 13, 1987, an additional 2147.7 Equivalent Dwelling Units (EDUs) have been finalized for an increase of 0.6 MGD and resulting in an ADWF of 19.4 MGD. Analysis of Building Inspection Department records indicate that permits for 5818 EDUs have been issued for which final inspection has not yet been received. At a rate of 400 EDUs per month it is possible that a flow of 20.5 MGD could be reached before the new pumps are completed. As a result, the City Manager on February 19, 1987, directed the Building Inspection Department to cease the issuance of building permits unless the owner/builder agrees not to request a final inspection, installation of a water meter or to occupy the building until the new pumps are installed. As it is advisable to record the

agreement with the County Recorder's office, it is necessary for City Council to authorize this action. Permits for the following will not require execution of the agreement: 1) model homes; 2) remodeling and additions where no additional fixtures are provided; 3) interior and exterior building completion (tenant improvements); 4) building permit time extensions; 5) public facilities such as schools, libraries, fire stations and park facilities; and 6) one single family residence which will be occupied by the owner/builder.

WU-U-87-119.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E052-F490.)

MOTION BY CLEATOR TO ADOPT THE RESOLUTION FOR ITEM-S405 AND APPROVE THE CITY MANAGER'S RECOMMENDATION TO LIFT THE

MORATORIUM

OF THE ISSUANCE OF BUILDING PERMITS IN THE SEWER PUMP STATION 64 AREA WITHIN THE CITY OF SAN DIEGO. Second by McCarty for the purpose of discussion. The motion was divided.

The vote to adopt ITEM-S405 passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

The vote to approve the City Manager's recommendation to lift the moratorium on building permits in the Sewer Pump Station 64 area within the City of San Diego failed by the following vote:

Wolfsheimer-nay, Cleator-yea, McColl-nay, Jones-nay, Struiksma-nay, Gotch-nay, McCarty-nay, Ballesteros-not present, Mayor O'Connor-nay.

MOTION BY WOLFSHEIMER TO CONFIRM THE CITY MANAGER'S ACTION PLACING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS WHICH REQUIRE A SEWER HOOKUP IN THE SEWER PUMP STATION 64 AREA WITHIN THE CITY OF SAN DIEGO AND DIRECT THE CITY MANAGER TO DOCKET THE MATTER AGAIN ON APRIL 21, 1987, 10:00 A.M. Second by Gotch.

Passed by the following vote: Wolfsheimer-yea, Cleator-nay, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-S406: (R-87-1859) ADOPTED AS RESOLUTION R-267856  
870310

The matter of the cessation of the issuance of building permits which require a sewer hookup in the Sewer Pump Station 64 area within the City of San Diego.

(See memorandums from the City Manager dated March 5, 1987.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E052-F490.)

MOTION BY CLEATOR TO ADOPT RESOLUTION FOR ITEM-S405 AND APPROVE THE CITY MANAGER'S RECOMMENDATION TO LIFT THE MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS IN THE SEWER PUMP STATION 64 AREA WITHIN THE CITY OF SAN DIEGO. Second by McCarty for the purpose of discussion. The motion was divided.

The vote on ITEM-S405 passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,  
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present,  
Mayor O'Connor-yea.

The vote on the City Manager's recommendation to lift the moratorium on the issuance of building permits in the Sewer Pump Station 64 area within the City of San Diego failed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-nay, Jones-nay, Struiksma-nay, Gotch-nay, McCarty-nay, Ballesteros-not present, Mayor O'Connor-nay.

MOTION BY WOLFSHEIMER TO ADOPT A RESOLUTION CONFIRMING THE CITY MANAGER'S ACTION PLACING A MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS WHICH REQUIRE A SEWER HOOKUP IN THE SEWER PUMP STATION 64 AREA WITHIN THE CITY OF SAN DIEGO AND DIRECT THE CITY MANAGER TO DOCKET THE MATTER AGAIN ON APRIL 21, 1987, 10:00 A.M.

Second by Gotch. Passed by the following vote:

Wolfsheimer-yea, Cleator-nay, McColl-yea, Jones-yea,  
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present,  
Mayor O'Connor-yea.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Jones at 6:12 p.m. in memory of Earl Hayden and Prescott "Nick" Nichols.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J479).